

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 19-38 remain pending in this application.

A Declaration under 37 C.F.R. 1.131 from each of the inventors, Colin Andrew Low, Lawrence Wilcock, Rycharde Jeffery Hawkes, and Robert Francis Squibbs, is being filed concurrently herewith. The Declarations and attached Exhibits prove a date of actual reduction to practice prior to the reference date of February 29, 2000 of the Pennock et al. reference (U.S. Patent 6,807,562) and therefore the reference should be removed and rejections based thereon are respectfully requested to be withdrawn. An unsigned copy of the Declaration of Robert Francis Squibbs is being provided at this time and will be updated upon receipt of same.

The rejection of claims 19-38 under 35 U.S.C. 102(e) as being unpatentable over Pennock is hereby traversed in view of the above-referenced Declarations showing a date of actual reduction to practice prior to the reference date of the Pennock reference. Based on the foregoing, the rejection of claims 19-38 is respectfully requested to be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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